

REMARKS

1. Status of the Claims

Claims 39-84 are pending in this Application. In the Office Action dated March 9, 2005, the Examiner rejected claims 39-48, 51-54, and 57-64 under 35 U.S.C. §102 (b) as being anticipated by *Henneberger* (U.S. Patent No. 5,316,243). The Examiner further rejected claim 55 under 35 U.S.C. §103 (a) as being unpatentable over *Henneberger* (U.S. Patent No. 5,316,243) in view of *Gute* (U.S. Patent No. 5,338,083). The Examiner also indicated claims 49, 50, and 56 as containing allowable subject matter. Claims 65-84 have been added with the amendment previously filed on February 28, 2005 and are directed to the release mechanism of the coupler of the present application.

2. Request for Withdrawal of the Finality of the Rejection

Applicants would like to thank the Examiner for the courtesies extended to Applicants' representative, Ms. Anthoula Pomrening, during their conversation on April 11, 2005. In accordance with the Examiner's suggestion, Applicants request withdrawal of the finality of the outstanding Final Rejection.

Referring to MPEP § 706.07(e), "if new facts or reasons are presented such as to convince the examiner that the previously rejected claims are in fact allowable or patentable in the case of reexamination, then the final rejection should be withdrawn." In this case, Applicants timely filed an amendment and accompanying remarks ("Exhibit A") on February 28, 2005 with a proper postcard receipt ("Exhibit B"), which was received in the USPTO on

March 3, 2005, prior to the mailing of the Final Rejection on March 9, 2005. According to MPEP § 503, "A postcard receipt which itemizes and properly identifies the items which are being filed serves as *prima facie* evidence of receipt in the USPTO of all the items listed thereon on the date stamped thereon by the USPTO." In this case, the postcard was stamped by the USPTO on March 3, 2005, which is prior to the mailing of the Final Rejection. Therefore, the amendment should be considered by the Examiner.

Referring also to MPEP § 706.07(d), "If, on request by applicant for reconsideration, the primary examiner finds the final rejection to have been premature, he or she should withdraw the finality of the rejection." According to MPEP § 706.07(b), a first action final rejection is only proper in certain situations, including when the claims of a request for continuing examination ("RCE") "are drawn to the same invention claimed in the application prior to the entry of the submission under 37 CFR 1.114 and could have been finally rejected on the grounds and art of record in the next Office action if they had been entered in the application prior to entry under 37 CFR 1.114." Here, as noted above, the amended claims were received by the Patent Office on March 3, 2005, before the final rejection was mailed on March 9, 2005. Thus, Applicants amended the claims of the RCE and a final rejection was premature.

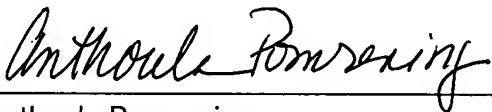
In light of the foregoing, Applicants respectfully request that the finality of the Office Action be withdrawn and the amendment and remarks be considered by the Examiner.

CONCLUSION

Applicants believe the present claims to be in condition for allowance, and earnestly request early notification of the same. If, for any reason, the Examiner is unable to allow the Application on the basis of these amendments and feels that a telephone conference would help clear up any unresolved matters, the Examiner is respectfully requested to contact the undersigned attorney at the telephone number listed below.

Respectfully submitted,

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By: 
Anthoula Pomrening
Reg. No. 38,805

McDonnell, Boehnen, Hulbert, and Berghoff LLP
300 South Wacker Drive
Chicago, IL 60606
Telephone: 312.913.0001
Facsimile: 312.913.0002